

REMARKS

The rejection of independent claim 1 and, thus, other claims under 35 USC 102 for anticipation by the cited Alread, et al. patent it traversed, because anticipation requires that

The identical invention must be shown in as complete detail as is contained in the ... claim. *MPEP* 2131 (citation omitted).

Claim 1 has couplings entirely of metallic substance of ducting that connects a compressor to a heat exchanger of the motor vehicle. The patent does not.

The patent shows in Figs. 3 and 4, for example, couplings that include plastic and rubber components. See, *MPEP* 608.02.

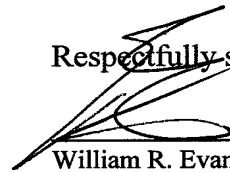
The drawing disclosure of plastic and rubber in the couplings of the patent is supported by the text of the patent at, for example, column 6, lines 50-53, for O-rings 38. Unlike the bearings 36, 37, which are preferably Nylon as shown in Figs. 3 and 4, but may be metal, there is NO DISCLOSURE OR SUGGESTION THAT O-RINGS 38 MAY BE OTHER THAN THE RUBBER SHOWN OR POLYMERIC MATERIAL DESCRIBED.

Achieving the vibration damping required of the claimed structure without rubber joints cannot be obvious from a patent that shows rubber joints. The patent cannot provide a rational underpinning for something it neither discloses nor suggests. Therefore, the claimed invention is not obvious from the patent, either, because:

... [R]ejections on obviousness cannot be sustained by mere conclusory statements; instead there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *Examination Guidelines for Determining Obviousness Under 35 U.S.C. 103 in View of the Supreme Court Decision in KSR International Co. v. Teleflex Inc.*, Fed. Reg. October 10, 2007, 57526, 57528-9.

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,



William R. Evans
c/o Ladas & Parry LLP
26 West 61st Street
New York, New York 10023
Reg. No. 25858
Tel. No. (212) 708-1930